



JANE D. HULL
Governor

MARY E. PETERS
Director

ARIZONA DEPARTMENT OF TRANSPORTATION

INTERMODAL TRANSPORTATION DIVISION
JOINT PROJECT ADMINISTRATION
205 South 17th Avenue - Room 293E, Mail Drop 616E
Phoenix, Arizona 85007



EDWARD D. WRIGHT
State Engineer

E. JACK HAMMITT
Joint Project
Administrator

3 November 1999

NOV 09 1999

Mr. Louis G. Sorensen, Manager
City of Kingman
310 N. 4th Avenue
Kingman, AZ 86401

Re: Project No. SL420 01C
Section: Hualapai Mountain Road Pedestrian Path/Landscaping
Agreement JPA 98-193
Amendment No. 1

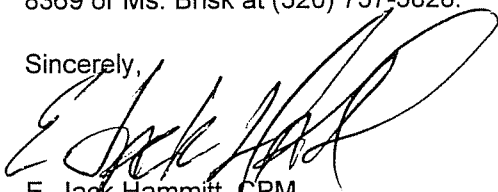
Dear Mr. Sorensen:

Additional project work has been requested by the City to place "colored concrete" in gap areas in the meandering sidewalk, at a cost to the City of \$32,000. Therefore, so much of paragraph II.4 is added to the agreement;


"The City will be responsible for the actual cost of placing "colored concrete" in gap areas in the meandering sidewalk, in the amount of \$32,000.00."

All other terms and conditions of the agreement remain the same. To properly memorialize this amendment, and to insure a meeting of the minds, please indicate your concurrence of this amendment in the space provided below and return one original of this instrument to the undersigned at the above address to the attention of Mail Drop 616E. Questions may be directed to the undersigned at (602) 255-8369 or Ms. Brisk at (520) 757-5828.

Sincerely,


E. Jack Hammitt, CPM
Joint Project Administrator

Concur for the City of Kingman:

By 
Date 11-12-99
(date)

AG Contract No. KR98 2445TRN
ADOT ECS File No. JPA 98-193
Project: TEA KNG-0-(3)P
TRACS: 000 MO KNG SL420 01 C
Section: City of Kingman

INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
THE CITY OF KINGMAN

THIS AGREEMENT is entered into 7 January, 1999
pursuant to Arizona Revised Statutes Sections 11-951 through 11-954, as amended between the
STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the
"State") and the City of Kingman, acting by and through its Mayor and City Council, (the "City").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-401 and 28-334 to enter into this agreement and has by resolution, a copy of which is attached hereto and made part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The City is empowered by Arizona Revised Statutes Section 48-572 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the City.

3. It is to the mutual advantage of the State and the City to provide a multi-use pedestrian path and to landscape certain areas within the City right of way on Hualapai Mountain Road at the following location.

Hualapai Mountain Road at station 10+00 to station 81+27.16,
a net distance of approximately 1.35 miles.

NO. 22912
Filed with the Secretary of State
Date Filed: 01/07/99
Betty Bayless
Secretary of State

By Dicky V. Guenewald

THEREFORE, in consideration of the mutual agreements expressed herein, it is agreed as follows:

II. SCOPE OF WORK

1. The City will prepare plans for the multi-use pedestrian path, landscaping and irrigation project and submit them to the State for concurrence.

2. After State concurrence of the plans, the project will be constructed by the State. Upon completion of the work the City shall reimburse the State 20% of the total project cost, to include construction engineering, in an amount currently estimated at \$425,000.00.

3. The City shall furnish all water for landscape installation during the construction phase.

III. MISCELLANEOUS PROVISIONS

1. This agreement shall become effective upon filing with the Secretary of State.

2. The terms, conditions and provisions of this agreement shall remain in full force and effect until completion and acceptance of the project by the State and the reimbursements outlined herein.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereby agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

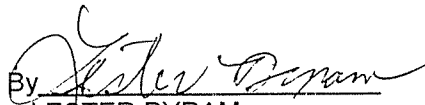
Arizona Department of Transportation
Joint Project Administration
205 South 17th Avenue, Mail Drop 616E
Phoenix, AZ. 85007

City of Kingman
City Manager
310 North Fourth Street
Kingman, AZ. 86401

8. Attached hereto is the written determination of each party's legal counsel the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

CITY OF KINGMAN

By 
LESTER BYRAM
Mayor

STATE OF ARIZONA

Department of Transportation

By 
PETER L. ENO
Contract Administrator

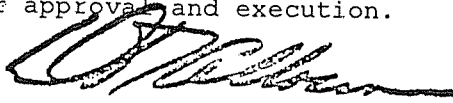
ATTEST

By 
CHARLENE WARE
City Clerk

RESOLUTION

BE IT RESOLVED on this 22nd day of October 1998, that I, the undersigned MARY E. PETERS, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Intermodal Transportation Division, to enter into an agreement with the City of Kingman for the purpose of defining responsibilities for the construction of and multi use path on Hualapai Mountain Road with landscaping.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Contract Administrator for approval and execution.



DAVID R. ALLOCCO, P.E.
Assistant State Engineer
Engineering Technical Group
for Mary E. Peters, Director

CITY OF KINGMAN, ARIZONA

RESOLUTION NO. 3090

A RESOLUTION BY THE MAYOR AND COMMON COUNCIL
OF THE CITY OF KINGMAN, ARIZONA; AUTHORIZING
STAFF TO SUBMIT AN APPLICATION FOR INTERMODAL
SURFACE TRANSPORTATION EFFICIENCY ACT (ISTEA)
TRANSPORTATION ENHANCEMENT FUNDS

WHEREAS, the Intermodal Surface Transportation Efficiency Act sets aside federal funds for Transportation enhancement activities/projects which add community or environmental value to a completed or underway transportation project; and

WHEREAS, eligible transportation enhancement activities include provision of facilities for pedestrians, bicycles, and beautification; and

WHEREAS, the construction of pedestrian and bicycle facilities are a part of the overall transportation needs of the City of Kingman, which is being curtailed due funding limitations; and

WHEREAS, the construction of sidewalk facilities along the major arterial routes of the City of Kingman is needed to accommodate the safety and well being of pedestrians and bicyclists; and

WHEREAS, the City of Kingman has identified the need to construct sidewalks and a bikepath along Hualapai Mountain Road-between Andy Devine Avenue and Fripps Ranch Road; and

WHEREAS, the completion of these sidewalks/bikepath and beautification improvements is estimated at \$400,000 which is within the \$500,000 grant limitation for projects eligible for Enhancement Funds, as specified by the Arizona Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the City of Kingman, Arizona, hereby:

1. Approves the filing of an application for Transportation Enhancement Funds in the amount of \$400,000 for the construction of a sidewalk, bikepath and beautification of Hualapai Mountain Road from Andy Devine Avenue to Fripps Ranch Road; and

2. Certifies that the City of Kingman will comply with all appropriate state regulations, policies, guidelines, and requirements as they relate to the application; and
3. Certifies that the City of Kingman has matching funds in the amount of \$80,000 from the General Fund and can finance 100 percent of the project, 80 percent of which will be reimbursed by Transportation Enhancement Funds; and
4. Certifies that the project is in conformance with the Kingman Area Transportation Study and would benefit the overall safety and well being of the community's residents; and
5. Appoints the Mayor and the Director of Community Development as agents of the City of Kingman to conduct all negotiations, execute and submit all documents including but not limited to applications, agreements, amendments, billing statements, and so on which may be necessary for the completion of the aforementioned project.

PASSED AND ADOPTED by the Mayor and Common Council of the City of Kingman, Arizona this 3rd day of September, 1996.

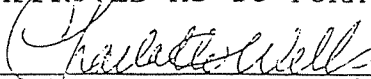
APPROVED:


LESTER BYRAM, Mayor

ATTEST:


CHARLENE WARE, City Clerk

APPROVED AS TO FORM:


CHARLOTTE WELLS, City Attorney

I, CHARLENE WARE (the undersigned), being the duly appointed and qualified City Clerk of the City of Kingman, certify that the foregoing Resolution No. 3090 is a true, correct and accurate copy of Resolution No. 3090 passed and adopted at the regular meeting of the Kingman Common Council held on the 3rd day of September 1996, at which a quorum was present and voted in favor of said resolution.

Given under my hand and seal this

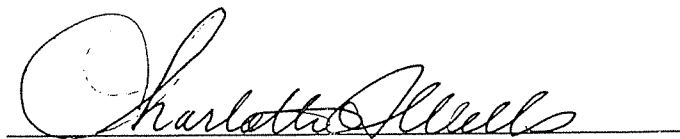
15th December 1998
(day) (month) (year)


CHARLENE WARE

APPROVAL OF THE KINGMAN CITY ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION, and the CITY OF KINGMAN and declare this agreement to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona.

DATED this 11th day of December, 1998.

A handwritten signature in cursive script, appearing to read "Charlotte Mills", is written over a horizontal line.

City Attorney



GRANT WOODS
ATTORNEY GENERAL

STATE OF ARIZONA
OFFICE OF THE ATTORNEY GENERAL
1275 WEST WASHINGTON, PHOENIX 85007-2997

TRN Main: (602) 542-1680
Direct: (602) 542-8837
Fax: (602) 542-3646
MAIN PHONE : 542-5025
TELECOPIER : 542-4085

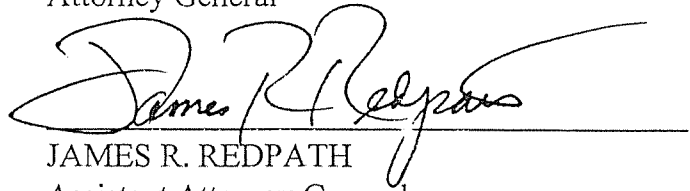
INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A.G. Contract No. KR98-2445TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATE December 31, 1998.

GRANT WOODS
Attorney General


JAMES R. REDPATH
Assistant Attorney General
Transportation Section

JPR:et/17703

Enc.